

TROPICAL FOREST CONSERVATION
ACT OF 1998

Mr. GILMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2870) to amend the Foreign Assistance Act of 1961 to facilitate protection of tropical forests through debt reduction with developing countries with tropical forests, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. DEBT REDUCTION FOR DEVELOPING COUNTRIES WITH TROPICAL FORESTS.

The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by adding at the end the following:

"PART V—DEBT REDUCTION FOR DEVELOPING COUNTRIES WITH TROPICAL FORESTS**"SEC. 801. SHORT TITLE.**

"This part may be cited as the 'Tropical Forest Conservation Act of 1998'.

"SEC. 802. FINDINGS AND PURPOSES.

"(a) FINDINGS.—The Congress finds the following:

"(1) It is the established policy of the United States to support and seek protection of tropical forests around the world.

"(2) Tropical forests provide a wide range of benefits to humankind by—

"(A) harboring a major share of the Earth's biological and terrestrial resources, which are the basis for developing pharmaceutical products and revitalizing agricultural crops;

"(B) playing a critical role as carbon sinks in reducing greenhouse gases in the atmosphere, thus moderating potential global climate change; and

"(C) regulating hydrological cycles on which far-flung agricultural and coastal resources depend.

"(3) International negotiations and assistance programs to conserve forest resources have proliferated over the past decade, but the rapid rate of tropical deforestation continues unabated.

"(4) Developing countries with urgent needs for investment and capital for development have allocated a significant amount of their forests to logging concessions.

"(5) Poverty and economic pressures on the populations of developing countries have, over time, resulted in clearing of vast areas of forest for conversion to agriculture, which is often unsustainable in the poor soils underlying tropical forests.

"(6) Debt reduction can reduce economic pressures on developing countries and result in increased protection for tropical forests.

"(7) Finding economic benefits to local communities from sustainable uses of tropical forests is critical to the protection of tropical forests.

"(b) PURPOSES.—The purposes of this part are—

"(1) to recognize the values received by United States citizens from protection of tropical forests;

"(2) to facilitate greater protection of tropical forests (and to give priority to protecting tropical forests with the highest levels of biodiversity and under the most severe threat) by providing for the alleviation of debt in countries where tropical forests are located, thus allowing the use of additional resources to protect these critical resources and reduce economic pressures that have led to deforestation;

"(3) to ensure that resources freed from debt in such countries are targeted to protection of tropical forests and their associated values; and

"(4) to rechannel existing resources to facilitate the protection of tropical forests.

"SEC. 803. DEFINITIONS.

"As used in this part:

"(1) ADMINISTERING BODY.—The term 'administering body' means the entity provided for in section 809(c).

"(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

"(A) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and

"(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

"(3) BENEFICIARY COUNTRY.—The term 'beneficiary country' means an eligible country with respect to which the authority of section 806(a)(1), section 807(a)(1), or paragraph (1) or (2) of section 808(a) is exercised.

"(4) BOARD.—The term 'Board' means the board referred to in section 811.

"(5) DEVELOPING COUNTRY WITH A TROPICAL FOREST.—The term 'developing country with a tropical forest' means—

"(A)(i) a country that has a per capita income of \$725 or less in 1994 United States dollars (commonly referred to as 'low-income country'), as determined and adjusted on an annual basis by the International Bank for Reconstruction and Development in its World Development Report; or

"(ii) a country that has a per capita income of more than \$725 but less than \$8,956 in 1994 United States dollars (commonly referred to as 'middle-income country'), as determined and adjusted on an annual basis by the International Bank for Reconstruction and Development in its World Development Report; and

"(B) a country that contains at least one tropical forest that is globally outstanding in terms of its biological diversity or represents one of the larger intact blocks of tropical forests left, on a regional, continental, or global scale.

"(6) ELIGIBLE COUNTRY.—The term 'eligible country' means a country designated by the President in accordance with section 805.

"(7) TROPICAL FOREST AGREEMENT.—The term 'Tropical Forest Agreement' or 'Agreement' means a Tropical Forest Agreement provided for in section 809.

"(8) TROPICAL FOREST FACILITY.—The term 'Tropical Forest Facility' or 'Facility' means the Tropical Forest Facility established in the Department of the Treasury by section 804.

"(9) TROPICAL FOREST FUND.—The term 'Tropical Forest Fund' or 'Fund' means a Tropical Forest Fund provided for in section 810.

"SEC. 804. ESTABLISHMENT OF THE FACILITY.

"There is established in the Department of the Treasury an entity to be known as the 'Tropical Forest Facility' for the purpose of providing for the administration of debt reduction in accordance with this part.

"SEC. 805. ELIGIBILITY FOR BENEFITS.

"(a) IN GENERAL.—To be eligible for benefits from the Facility under this part, a country shall be a developing country with a tropical forest—

"(1) whose government meets the requirements applicable to Latin American or Caribbean countries under paragraphs (1) through (5) and (7) of section 703(a) of this Act; and

"(2) that has put in place major investment reforms, as evidenced by the conclusion of a bilateral investment treaty with the United States, implementation of an investment sector loan with the Inter-American Development Bank, World Bank-supported investment reforms, or other measures, as appropriate.

"(b) ELIGIBILITY DETERMINATIONS.—

"(1) IN GENERAL.—Consistent with subsection (a), the President shall determine whether a country is eligible to receive benefits under this part.

"(2) CONGRESSIONAL NOTIFICATION.—The President shall notify the appropriate congress-

sional committees of his intention to designate a country as an eligible country at least 15 days in advance of any formal determination.

"SEC. 806. REDUCTION OF DEBT OWED TO THE UNITED STATES AS A RESULT OF CONCESSIONAL LOANS UNDER THE FOREIGN ASSISTANCE ACT OF 1961.

"(a) AUTHORITY TO REDUCE DEBT.—

"(1) AUTHORITY.—The President may reduce the amount owed to the United States (or any agency of the United States) that is outstanding as of January 1, 1998, as a result of concessional loans made to an eligible country by the United States under part I of this Act, chapter 4 of part II of this Act, or predecessor foreign economic assistance legislation.

"(2) AUTHORIZATION OF APPROPRIATIONS.—For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990) for the reduction of any debt pursuant to this section, there are authorized to be appropriated to the President—

"(A) \$25,000,000 for fiscal year 1999;

"(B) \$75,000,000 for fiscal year 2000; and

"(C) \$100,000,000 for fiscal year 2001.

"(3) CERTAIN PROHIBITIONS INAPPLICABLE.—

"(A) IN GENERAL.—A reduction of debt pursuant to this section shall not be considered assistance for purposes of any provision of law limiting assistance to a country.

"(B) ADDITIONAL REQUIREMENT.—The authority of this section may be exercised notwithstanding section 620(r) of this Act or section 321 of the International Development and Food Assistance Act of 1975.

"(b) IMPLEMENTATION OF DEBT REDUCTION.—

"(1) IN GENERAL.—Any debt reduction pursuant to subsection (a) shall be accomplished at the direction of the Facility by the exchange of a new obligation for obligations of the type referred to in subsection (a) outstanding as of the date specified in subsection (a)(1).

"(2) EXCHANGE OF OBLIGATIONS.—

"(A) IN GENERAL.—The Facility shall notify the agency primarily responsible for administering part I of this Act of an agreement entered into under paragraph (1) with an eligible country to exchange a new obligation for outstanding obligations.

"(B) ADDITIONAL REQUIREMENT.—At the direction of the Facility, the old obligations that are the subject of the agreement shall be canceled and a new debt obligation for the country shall be established relating to the agreement, and the agency primarily responsible for administering part I of this Act shall make an adjustment in its accounts to reflect the debt reduction.

"(c) ADDITIONAL TERMS AND CONDITIONS.—The following additional terms and conditions shall apply to the reduction of debt under subsection (a)(1) in the same manner as such terms and conditions apply to the reduction of debt under section 704(a)(1) of this Act:

"(1) The provisions relating to repayment of principal under section 705 of this Act.

"(2) The provisions relating to interest on new obligations under section 706 of this Act.

"SEC. 807. REDUCTION OF DEBT OWED TO THE UNITED STATES AS A RESULT OF CREDITS EXTENDED UNDER TITLE I OF THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954.

"(a) AUTHORITY TO REDUCE DEBT.—

"(1) AUTHORITY.—Notwithstanding any other provision of law, the President may reduce the amount owed to the United States (or any agency of the United States) that is outstanding as of January 1, 1998, as a result of any credits extended under title I of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1701 et seq.) to a country eligible for benefits from the Facility.

"(2) AUTHORIZATION OF APPROPRIATIONS.—

"(A) IN GENERAL.—For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990) for the reduction of any debt pursuant

to this section, there are authorized to be appropriated to the President—

“(i) \$25,000,000 for fiscal year 1999;

“(ii) \$50,000,000 for fiscal year 2000; and

“(iii) \$50,000,000 for fiscal year 2001.

“(B) LIMITATION.—The authority provided by this section shall be available only to the extent that appropriations for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990) of the modification of any debt pursuant to this section are made in advance.

“(b) IMPLEMENTATION OF DEBT REDUCTION.—

“(1) IN GENERAL.—Any debt reduction pursuant to subsection (a) shall be accomplished at the direction of the Facility by the exchange of a new obligation for obligations of the type referred to in subsection (a) outstanding as of the date specified in subsection (a)(1).

“(2) EXCHANGE OF OBLIGATIONS.—

“(A) IN GENERAL.—The Facility shall notify the Commodity Credit Corporation of an agreement entered into under paragraph (1) with an eligible country to exchange a new obligation for outstanding obligations.

“(B) ADDITIONAL REQUIREMENT.—At the direction of the Facility, the old obligations that are the subject of the agreement shall be canceled and a new debt obligation shall be established for the country relating to the agreement, and the Commodity Credit Corporation shall make an adjustment in its accounts to reflect the debt reduction.

“(c) ADDITIONAL TERMS AND CONDITIONS.—The following additional terms and conditions shall apply to the reduction of debt under subsection (a)(1) in the same manner as such terms and conditions apply to the reduction of debt under section 604(a)(1) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1738c):

“(1) The provisions relating to repayment of principal under section 605 of such Act.

“(2) The provisions relating to interest on new obligations under section 606 of such Act.

“SEC. 808. AUTHORITY TO ENGAGE IN DEBT-FOR-NATURE SWAPS AND DEBT BUYBACKS.

“(a) LOANS AND CREDITS ELIGIBLE FOR SALE, REDUCTION, OR CANCELLATION.—

“(1) DEBT-FOR-NATURE SWAPS.—

“(A) IN GENERAL.—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible purchaser described in subparagraph (B) any concessional loans described in section 806(a)(1) or any credits described in section 807(a)(1), or on receipt of payment from an eligible purchaser described in subparagraph (B), reduce or cancel such loans (or credits) or portion thereof, only for the purpose of facilitating a debt-for-nature swap to support eligible activities described in section 809(d).

“(B) ELIGIBLE PURCHASER DESCRIBED.—A loan or credit may be sold, reduced, or canceled under subparagraph (A) only to a purchaser who presents plans satisfactory to the President for using the loan or credit for the purpose of engaging in debt-for-nature swaps to support eligible activities described in section 809(d).

“(C) CONSULTATION REQUIREMENT.—Before the sale under subparagraph (A) to any eligible purchaser described in subparagraph (B), or any reduction or cancellation under such subparagraph (A), of any loan or credit made to an eligible country, the President shall consult with the country concerning the amount of loans or credits to be sold, reduced, or canceled and their uses for debt-for-nature swaps to support eligible activities described in section 809(d).

“(D) AUTHORIZATION OF APPROPRIATIONS.—For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990) of the reduction of any debt pursuant to subparagraph (A), amounts authorized to appropriated under sections 806(a)(2) and 807(a)(2) shall be made available for such reduction of debt pursuant to subparagraph (A).

“(2) DEBT BUYBACKS.—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible country any concessional loans described in section 806(a)(1) or any credits described in section 807(a)(1), or on receipt of payment from an eligible country, reduce or cancel such loans (or credits) or portion thereof, only for the purpose of facilitating a debt buyback by an eligible country of its own qualified debt, only if the eligible country uses an additional amount of the local currency of the eligible country, equal to not less than the lesser of 40 percent of the price paid for such debt by such eligible country, or the difference between the price paid for such debt and the face value of such debt, to support eligible activities described in section 809(d).

“(3) LIMITATION.—The authority provided by paragraphs (1) and (2) shall be available only to the extent that appropriations for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990) of the modification of any debt pursuant to such paragraphs are made in advance.

“(4) TERMS AND CONDITIONS.—Notwithstanding any other provision of law, the President shall, in accordance with this section, establish the terms and conditions under which loans and credits may be sold, reduced, or canceled pursuant to this section.

“(5) ADMINISTRATION.—

“(A) IN GENERAL.—The Facility shall notify the administrator of the agency primarily responsible for administering part I of this Act or the Commodity Credit Corporation, as the case may be, of eligible purchasers described in paragraph (1)(B) that the President has determined to be eligible under paragraph (1), and shall direct such agency or Corporation, as the case may be, to carry out the sale, reduction, or cancellation of a loan pursuant to such paragraph.

“(B) ADDITIONAL REQUIREMENT.—Such agency or Corporation, as the case may be, shall make an adjustment in its accounts to reflect the sale, reduction, or cancellation.

“(b) DEPOSIT OF PROCEEDS.—The proceeds from the sale, reduction, or cancellation of any loan sold, reduced, or canceled pursuant to this section shall be deposited in the United States Government account or accounts established for the repayment of such loan.

“SEC. 809. TROPICAL FOREST AGREEMENT.

“(a) AUTHORITY.—

“(1) IN GENERAL.—The Secretary of State is authorized, in consultation with other appropriate officials of the Federal Government, to enter into a Tropical Forest Agreement with any eligible country concerning the operation and use of the Fund for that country.

“(2) CONSULTATION.—In the negotiation of such an Agreement, the Secretary shall consult with the Board in accordance with section 811.

“(b) CONTENTS OF AGREEMENT.—The requirements contained in section 708(b) of this Act (relating to contents of an agreement) shall apply to an Agreement in the same manner as such requirements apply to an Americas Framework Agreement.

“(c) ADMINISTERING BODY.—

“(1) IN GENERAL.—Amounts disbursed from the Fund in each beneficiary country shall be administered by a body constituted under the laws of that country.

“(2) COMPOSITION.—

“(A) IN GENERAL.—The administering body shall consist of—

“(i) one or more individuals appointed by the United States Government;

“(ii) one or more individuals appointed by the government of the beneficiary country; and

“(iii) individuals who represent a broad range of—

“(I) environmental nongovernmental organizations of, or active in, the beneficiary country;

“(II) local community development nongovernmental organizations of the beneficiary country; and

“(III) scientific, academic, or forestry organizations of the beneficiary country.

“(B) ADDITIONAL REQUIREMENT.—A majority of the members of the administering body shall be individuals described in subparagraph (A)(iii).

“(3) RESPONSIBILITIES.—The requirements contained in section 708(c)(3) of this Act (relating to responsibilities of the administering body) shall apply to an administering body described in paragraph (1) in the same manner as such requirements apply to an administering body described in section 708(c)(1) of this Act.

“(d) ELIGIBLE ACTIVITIES.—Amounts deposited in a Fund shall be used only to provide grants to conserve, maintain, and restore the tropical forests in the beneficiary country, through one or more of the following activities:

“(1) Establishment, restoration, protection, and maintenance of parks, protected areas, and reserves.

“(2) Development and implementation of scientifically sound systems of natural resource management, including land and ecosystem management practices.

“(3) Training programs to increase the scientific, technical, and managerial capacities of individuals and organizations involved in conservation efforts.

“(4) Restoration, protection, or sustainable use of diverse animal and plant species.

“(5) Research and identification of medicinal uses of tropical forest plant life to treat human diseases and illnesses and health related concerns.

“(6) Development and support of the livelihoods of individuals living in or near a tropical forest in a manner consistent with protecting such tropical forest.

“(e) GRANT RECIPIENTS.—

“(1) IN GENERAL.—Grants made from a Fund shall be made to—

“(A) nongovernmental environmental, forestry, conservation, and indigenous peoples organizations of, or active in, the beneficiary country;

“(B) other appropriate local or regional entities of, or active in, the beneficiary country; or

“(C) in exceptional circumstances, the government of the beneficiary country.

“(2) PRIORITY.—In providing grants under paragraph (1), priority shall be given to projects that are run by nongovernmental organizations and other private entities and that involve local communities in their planning and execution.

“(f) REVIEW OF LARGER GRANTS.—Any grant of more than \$100,000 from a Fund shall be subject to veto by the Government of the United States or the government of the beneficiary country.

“(g) ELIGIBILITY CRITERIA.—In the event that a country ceases to meet the eligibility requirements set forth in section 805(a), as determined by the President pursuant to section 805(b), then grants from the Fund for that country may only be made to nongovernmental organizations until such time as the President determines that such country meets the eligibility requirements set forth in section 805(a).

“SEC. 810. TROPICAL FOREST FUND.

“(a) ESTABLISHMENT.—Each beneficiary country that enters into a Tropical Forest Agreement under section 809 shall be required to establish a Tropical Forest Fund to receive payments of interest on new obligations undertaken by the beneficiary country under this part.

“(b) REQUIREMENTS RELATING TO OPERATION OF FUND.—The following terms and conditions shall apply to the Fund in the same manner as such terms as conditions apply to an Enterprise for the Americas Fund under section 707 of this Act:

“(1) The provision relating to deposits under subsection (b) of such section.

“(2) The provision relating to investments under subsection (c) of such section.

“(3) The provision relating to disbursements under subsection (d) of such section.

"SEC. 811. BOARD.

"(a) ENTERPRISE FOR THE AMERICAS BOARD.—The Enterprise for the Americas Board established under section 610(a) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1738i(a)) shall, in addition to carrying out the responsibilities of the Board under section 610(c) of such Act, carry out the duties described in subsection (c) of this section for the purposes of this part.

"(b) ADDITIONAL MEMBERSHIP.—

"(1) IN GENERAL.—The Enterprise for the Americas Board shall be composed of an additional four members appointed by the President as follows:

"(A) Two representatives from the United States Government, including a representative of the International Forestry Division of the United States Forest Service.

"(B) Two representatives from private nongovernmental environmental, scientific, forestry, or academic organizations with experience and expertise in preservation, maintenance, sustainable uses, and restoration of tropical forests.

"(2) CHAIRPERSON.—Notwithstanding section 610(b)(2) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1738i(b)(2)), the Enterprise for the Americas Board shall be headed by a chairperson who shall be appointed by the President from among the representatives appointed under section 610(b)(1)(A) of such Act or paragraph (1)(A) of this subsection.

"(c) DUTIES.—The duties described in this subsection are as follows:

"(1) Advise the Secretary of State on the negotiations of Tropical Forest Agreements.

"(2) Ensure, in consultation with—

"(A) the government of the beneficiary country,

"(B) nongovernmental organizations of the beneficiary country,

"(C) nongovernmental organizations of the region (if appropriate),

"(D) environmental, scientific, forestry, and academic leaders of the beneficiary country, and

"(E) environmental, scientific, forestry, and academic leaders of the region (as appropriate), that a suitable administering body is identified for each Fund.

"(3) Review the programs, operations, and financial audits of each administering body.

"SEC. 812. CONSULTATIONS WITH THE CONGRESS.

"The President shall consult with the appropriate congressional committees on a periodic basis to review the operation of the Facility under this part and the eligibility of countries for benefits from the Facility under this part.

"SEC. 813. ANNUAL REPORTS TO THE CONGRESS.

"(a) IN GENERAL.—Not later than December 31 of each year, the President shall prepare and transmit to the Congress an annual report concerning the operation of the Facility for the prior fiscal year. Such report shall include—

"(1) a description of the activities undertaken by the Facility during the previous fiscal year;

"(2) a description of any Agreement entered into under this part;

"(3) a report on any Funds that have been established under this part and on the operations of such Funds; and

"(4) a description of any grants that have been provided by administering bodies pursuant to Agreements under this part.

"(b) SUPPLEMENTAL VIEWS IN ANNUAL REPORT.—Not later than December 15 of each year, each member of the Board shall be entitled to receive a copy of the report required under subsection (a). Each member of the Board may prepare and submit supplemental views to the President on the implementation of this part by December 31 for inclusion in the annual report when it is transmitted to Congress pursuant to this section."

Mr. GILMAN (during the reading). Mr. Speaker, I ask unanimous consent

that the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore (Mr. EWING). Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from New York?

Mr. PORTMAN. Mr. Speaker, reserving the right to object, I yield to the gentleman from New York (Mr. GILMAN), to explain the measure.

Mr. GILMAN. Mr. Speaker, I thank the gentleman from Ohio for yielding to me.

Mr. Speaker, this measure was introduced last November by the gentlemen from Ohio, Mr. PORTMAN and Mr. KASICH, and the gentleman from Indiana (Mr. HAMILTON). The bill enjoys wide bipartisan support and is supported by the administration.

Mr. Speaker, tropical forests are home to roughly half of all known species of plants and animals. Under pressure from man, these forests are disappearing at rate of almost 1 percent per year, roughly 1 football field lost every second, or an area the size of Pennsylvania each year.

Most of these forests are also located in developing countries, and most of these countries are poor, with crushing debt burdens. In short, this bill authorizes the President to offer up to \$325 million in debt owed to our government by the developing nations, a small fraction of the \$15 billion they currently owe. The loans were made by the Agency for International Development and the Department of Agriculture.

The bill specifically references the conditions for the government to obtain such debt relief. These conditions include having a democratic government, a favorable climate for private sector investment, cooperation on narcotics matters, and no State-sponsored terrorism.

The bill enjoys wide support from environmental groups, such groups as the World Wildlife Fund, Conservation International, The Nature Conservancy, the Environmental Defense Fund, and the Sierra Club.

The Senate passed H.R. 2870 with a number of technical changes and clarifying amendments.

First, the Senate restored provisions of importance to the House after the Senate companion bill was reported from the Senate Foreign Relations Committee and before the Senate passed the House bill, as amended.

These include insuring, one, tropical forests that are important on a regional basis may be protected under the bill, and secondly, one of the eligible activities under the bill is research and identification of medicinal uses of tropical forest plant life to treat human diseases.

In sum, the Senate amendments also accomplish the following four objectives:

First, they made a number of changes to ensure that the funds for this program are used only to conserve and protect tropical forests through a specific list of eligible activities that were enumerated in the House bill but were tightened up in the Senate.

Secondly, they deleted the requirement that a Nation have a minimal level of environmental policies and practices in place to qualify for its eligibility. The Senate noted that the administration should have flexibility in administering the program, and that one of the purposes of the Act was to encourage such policies and practices.

Third, they made forestry organizations with expertise in conserving tropical forests part of the local administering bodies and board overseeing this program, including a representative of the International Forestry Division of the U.S. Forest Service.

Fourth, they deleted a House provision requiring the President to notify congressional committees 15 days in advance of debt reduction, in exchange for the letter agreement by the Treasury Department to give the authorizing committees the same notification they currently give the Committee on Appropriations with respect to debt reduction transactions.

This has the benefit of standardizing procedures so that the administrative burden at the Treasury Department will not be increased. Congress can give Treasury early notification of countries that are suspect for such transactions, and Congress will receive more information about these transactions than it does now. I also note our support for debt relief to Bangladesh under this bill.

I urge support for the bill, and I commend the gentleman from Ohio (Mr. PORTMAN), the gentleman from Indiana (Mr. HAMILTON), and the gentleman from Ohio (Mr. KASICH), for introducing this important environmental measure.

Mr. PORTMAN. Mr. Speaker, reclaiming my time, I want to thank the chairman for that explanation of the changes in the bill, and tell him that I very much appreciate his willingness to work closely with us over the past several months in putting this product together. It was his willingness to take this bill to his committee and expedite it that enabled us to be here today on the floor to pass what is truly historic legislation.

As the gentleman from New York (Mr. GILMAN) said, we passed this bill on March 19 by a strong vote of 356 to 61. Since then, as the gentleman from New York (Mr. GILMAN) has said, we worked closely with the Senate on a day-to-day basis. They made what I think were very good and technical and clarifying changes, as the gentleman from New York (Mr. GILMAN) has just explained, and actually improves the legislation and makes it a better bill.

I want to thank Senator LUGAR, who took the lead in the Senate, and also Senator BROWNBACK, who improved the bill, and Senators BIDEN, CHAFEE, and

LEAHY for their hard work on this legislation.

The bill links two very important facts of life. One is that tropical forests are disappearing at a very rapid rate. He mentioned the state of Pennsylvania. An area larger than the State of Ohio is being destroyed every year in terms of our tropical forests worldwide.

This has an impact on us, directly on our environment, our air quality, but also with regard to medicinal benefits and so on, as the gentleman from New York (Mr. GILMAN) said. That is one fact of life.

The second is that these tropical forests happen to be located in countries that have tremendous debts to the United States. Therefore, we have an opportunity here, and this bill does in 3 years what is cost-free to the taxpayers, which is debt buybacks authorized by this bill.

Building on President Bush's Enterprise for the Americas initiative, it also permits us as a Congress to be able to do what are called debt-for-nature swaps; in other words, the so-called swapping their debt for their ability to preserve tropical forests in their countries.

Next is to allow third parties to come in and purchase debt, which will save tropical forests worldwide. It is a very commonsense free market approach to one of our most pressing environmental problems globally. I want to again thank the chairman for taking the lead on this.

□ 1200

I also want to thank two other Members who could not be here with us right now. One is the gentleman from Indiana (Mr. HAMILTON) on the other side of the aisle, and the other is the gentleman from Ohio (Mr. KASICH) who took the lead as being original cosponsors of this legislation and pushing it through the process. There are many other people to thank: the Nature Conservancy, Conservation International, World Wildlife Fund and other outside groups, my chief of staff, John Bridgeland.

This is a great example of how working together we can truly address pressing problems, in this case a pressing environmental problem. I look forward to working with the gentleman from New York (Mr. GILMAN) and others to ensure this bill is funded this year. Again, we have expedited it so that that is possible, also that it be implemented in a manner that truly protects these invaluable resources round the globe.

Mr. Speaker, continuing my reservation of objection, I yield to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Speaker, again, I want to thank the gentleman from Ohio (Mr. PORTMAN) for his leadership on a very important environmental measure that our side of the aisle fully supports.

Mr. HAMILTON. Mr. Speaker, I rise in support of this bill.

The Tropical Forest Conservation Act of 1998, has two important objectives:

First, it seeks to preserve tropical forests by establishing a framework that brings together environmental resources and expertise in the U.S. with non-governmental and environmental organizations in the beneficiary country.

Second, the bill seeks to address the issue of debt reduction. Most tropical forests are located in countries saddled with massive debt. Some of these debts are owed to the U.S. This bill enables a participating country to reduce the debt it owes to the U.S. by restructuring its loans or by participating in debt buybacks or debt-swaps.

Third, this bill focuses on the establishment, restoration, protection, and management of tropical forests to ensure a well-planned and well-managed program. It also ensures accountability and results by establishing strict oversight controls.

This bill was passed by the House on March 19, 1998 by a bipartisan vote of 356–61. The Senate passed this bill unanimously yesterday with several positive amendments. The Senate: (1) deleted the requirement that a country have a minimum level of environmental policies and practices in place to qualify under the program. The purpose of this bill is to encourage such activities and policies; (2) made clear that funds under the program may only be used to conserve and protect tropical forests; (3) deleted two purposes for these programs, the mitigation of greenhouse gases and support for local cultures from eligible activities under the bill. These were viewed as unnecessary; (4) deleted a requirement for 634A notification before funds are obligated for debt reduction. It is understood that the Administration will voluntarily provide such notice; and (5) added forestry organizations in the beneficiary countries to membership in the administering body and board and makes them eligible to receive grants.

This is a good bill. I urge my colleagues to join me in passing this bill.

Mr. BEREUTER. Mr. Speaker, this Member rises in the strong support of H.R. 2870, the Tropical Forest Protection Act and congratulates the distinguished gentleman from Ohio [Mr. ROBB PORTMAN] for introducing this important legislation. The world's tropical forests, which are biodiverse, economically crucial, and ecologically irreplaceable, are now rapidly disappearing. Many of these forests are located within developing nations that are heavily dependent upon foreign aid and burdened by extensive external debt. H.R. 2870 enacts measures to protect these fragile and complex ecosystems from further exploitation by providing a unique solution to two pressing global problems—third world debt and deforestation.

Mr. Speaker, twelve years ago this Member offered one of the first "Debt-for-Nature" swaps as an amendment to the International Financial Institutions Act. This earlier legislation called on the World Bank to initiate discussions to "facilitate debt-for-development swaps for human welfare and environmental conservation."

Also, this Member strongly supported the 1990 legislative initiative known as "Enterprise for the Americas" (EAI) introduced by President George Bush which provided debt relief for the countries of Latin America in return for investments by these nations in environmental protection. This initiative remains in effect

today, serving as an engine of growth to the Latin American economy and establishing as its legacy some of the largest tropical forest parks in the world throughout the region.

H.R. 2870 is a creative variation on the EAI theme. Several constituents from this Member's home state of Nebraska have expressed their support for this legislation. One letter in particular detailed a family's involvement in making a record of the plants and herbs found in tropical forests in an on-going effort to identify new medicines. This legislation will preserve and protect rain forests in order that these efforts can continue, benefiting mankind by identifying new cures to diseases.

Mr. Speaker, this Member is particularly pleased that Bangladesh is eligible for debt relief under the provisions of H.R. 2870. Bangladesh is a country the size of the state of Wisconsin with a population estimated at 125 million. Due to the pressure put on this small nation's land resources, there is now a serious deforestation problem in Bangladesh. Bangladesh's topography makes it prone to natural disasters, especially floods, which were particularly severe in 1988 when two-thirds of Bangladesh's sixty-four districts experienced extensive flood damage.

Bangladesh, one of the world's poorest nations, is also struggling with overwhelming PL–480 debt. At the beginning of this year, Bangladesh's PL–480 debt amounted to \$501.7 million. This debt, accumulated over more than a decade, now requires substantial payments which Bangladesh, one of the world's poorest nations, can ill afford. My colleagues may recall that an oversight prevented this matter from being addressed in 1993 when debt forgiveness legislation was approved for many other significant debtor countries. Any financial assistance given to Bangladesh is negated by the payments it is now required to make on its PL–480 debt, rather than being directed towards worthwhile projects designed to stabilize population growth, establish health programs, and build democracy.

To be eligible for debt reduction under H.R. 2870, a country must contain an appropriate tropical forest and meet specific economic and political criteria. At the March 10, 1998, markup of this legislation by the Committee on International Relations, the Administration testified that Bangladesh did indeed possess the requisite tropical forests of regional importance.

The region in Bangladesh known as Chittagong and the Chittagong Hill Tracts contain much of Bangladesh's tropical rain forests. Over the years, however, this area has suffered greatly from the effects of consistent soil erosion and deforestation due to Bangladesh's ever-expanding human population as well as the effects of natural disasters. It remains, however, the home of biodiversity as well as a variety of wild animals, to include the world-famous and endangered Royal Bengal Tiger.

The political eligibility criteria in H.R. 2870 require the debtor country to have a democratically-elected government which is not pursuing egregious policies in the area of human rights, narcotics, or terrorism. The State Department has confirmed that Bangladesh meets this political criteria.

The economic eligibility criteria requires the debtor country to have in place or be making progress toward an IMF arrangement, World Bank structural or sectoral adjustment loans if

necessary; to have put in place major investment reforms; and, if appropriate, to have agreed with its commercial bank lenders on a satisfactory lending program.

It is this Member's understanding that the IMF is negotiating a potential staff-monitored program with Bangladesh. In addition, as evidence of major investment reforms, Bangladesh has concluded a bilateral investment treaty with the United States.

On a preliminary basis, the Department of the Treasury has determined that if Bangladesh concludes its negotiations on an IMF staff-monitored program, it should meet with economic eligibility requirements for debt reduction under this legislation.

Based on the above, this Member concludes that Bangladesh does indeed meet all three provisions of this legislation. Debt buybacks such as are envisioned in this legislation would permit Bangladesh address its lingering debt problem, while preserving its threatened tropical forests.

In conclusion, Mr. Speaker, this Member would again like to thank the distinguished gentleman from Ohio [Mr. PORTMAN] for introducing this important piece of legislation. This Member would also commend the efforts of the Chairman of the Committee on International Relations, the distinguished gentleman from New York [Mr. GILMAN] for the leadership he had demonstrated over the years on environmental matters.

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on the matter being considered.

The SPEAKER pro tempore (Mr. EWING). Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PORTMAN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from New York?

There was no objection.

A motion to reconsider was laid on the table.

CHILD CUSTODY PROTECTION ACT

Mrs. MYRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 499 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3682) to amend title 18, United States Code, to prohibit taking minors across State lines to avoid laws requiring the involvement of parents in abortion decisions. The bill shall be considered as read for amendment. The amendment recommended by the Committee on the Judiciary now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) two hours of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 1 hour.

Mrs. MYRICK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Yesterday, the Committee on Rules met and granted a closed rule for H.R. 3682, the Child Custody Protection Act. The rule provides for consideration of H.R. 3682 in the House with 2 hours of debate equally divided between the chairman and ranking minority member of the Committee on the Judiciary. It also provides the Committee on the Judiciary amendment now printed in the bill will be considered as adopted. Finally, the rule provides for one motion to recommit with or without instructions.

Mr. Speaker, the Child Custody Protection Act is important to any parent who has a teenage daughter. As we know, people in several States have recently decided that a parent should know before their child has an abortion. We all hope that our teenage daughters have the wisdom to avoid pregnancy, but if they make a mistake, a parent is best able to provide advice and counseling. Also more than anyone else, a parent knows their child's medical history. For these reasons, my home State of North Carolina requires a parent to know before their child checks into an abortion clinic, as does the State of Pennsylvania.

Last month, though, the Senate Committee on the Judiciary heard chilling testimony about how law-breaking citizens risk children's lives by taking them from their parents for out-of-State abortions. Before the Senate Committee on the Judiciary, Joyce Farley, a mother from Pennsylvania, told the tragic story of her 13-year-old daughter.

Three years ago this summer, a stranger took Mrs. Farley's child out of school, provided her with alcohol, transported her out of State to have an abortion, falsified medical records at the abortion clinic and abandoned her in a town 30 miles away, frightened and bleeding. Why? Because this stranger's adult son had raped Joyce Farley's teenage daughter, and she was desperate to cover up her son's tracks. Even worse, this all may have been legal. It is perfectly legal to avoid parental abortion consent and notification laws by driving children to another State. This is wrong, and it has to be stopped.

According to the Reproductive Law and Policy Center, a pro-abortion group in New York, thousands of adults across the country carry children over State lines to get abortions in States without parental notification laws. These clinics advertise in the yellow pages that no parental consent is needed. So-called men in their 20s and 30s

coerce teenage girls to have abortions out of State and without their parents' knowledge.

The Child Custody Protection Act will put a stop to this child abuse. If passed, the law would make it a crime to transport a minor across State lines to avoid laws that require parental consent or notification before an abortion.

Right now a parent in Charlotte, North Carolina, must grant permission before the school nurse gives their child an aspirin, but a parent cannot prevent a stranger from taking their child out of school and up to New York City for an abortion. This is plain nonsense. It has to be stopped.

Let us do something to help thousands of children in this country. Let us pass the Child Custody Protection Act and put an end to the absurd notion that there is some sort of constitutional right for an adult stranger to secretly take someone's teenage daughter into a different State for an abortion.

I urge my colleagues to support this rule and support the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume. I thank the gentlewoman from North Carolina for yielding me the customary 30 minutes.

Mr. Speaker, I oppose this closed rule. The majority claims to favor full and free debate on important issues but, however, on this controversial bill the majority has chosen to prohibit any amendments from being offered. Although no amendments will be allowed, the rule allows two hours of debate instead of the usual one. This proposed rule for floor consideration might lead a cynic to believe that the majority does not want to actually perfect legislation on a health and privacy issue. But, no, this process and this rule do not foster deliberation, but are more conducive to a 2-hour campaign sound bite designed to label opponents of this bill as antiparent and antifamily.

I must also voice my strong concerns with the bill made in order by this rule. The so-called Child Custody Protection Act has the potential to increase the number of unsafe, back-alley abortions in this country and to place the lives and health of young women at risk.

This bill would criminalize the act of bringing a minor across State lines to obtain an abortion without parental consent. Make no mistake, I have very serious concerns about unwanted pregnancies and abortions among young women, but my colleagues who support this bill fail to understand that those young women who have healthy family relationships will seek parental involvement and consent. But we know